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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON APRIL 26, 2011

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 10:00 a.m.
Executive Secretary Mary Jo Kunkle called the roll, declared there was a quorum, and noted that Commissioner Martinez would be participating telephonically.

PRESENT

Commission: Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Greg R. White, Commissioner

Staff: Margaret Rost
Judy Palnau
Mary Jo Kunkle
Catherine Bowers

Public: Ronan Patterson, WEPCO
Thomas Lorden, WEPCO
Harvey J. Messing, Miller Canfield
Suzy Denison, MEGA
B. K. Roberts, Consumers Energy
Tim Hoffman, Consumers Energy
David E.S. Marvin, Fraser Trebilcock Davis & Dunlap
Dan Brudzynski, DTE Energy

- I. Chairman Isiogu announced two amendments to the published agenda, Section III A, Item #1, the caption was changed to indicate that it was a minute action, Section III B, Item #6, Case No. U-16581 was added, Commissioner Martinez moved to approve the amended agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The amended agenda was approved.

- II. Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of April 12, 2011, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minutes were approved.

III. ORDERS

A. COMMUNICATIONS

1. MINUTE ACTION FRONTIER NORTH, INC. AND FRONTIER MIDSTATES, INC.
(9-1-1 wireless invoice, Case No. U-14000)

Commissioner Martinez moved that the Commission adopt and issue minute dated April 25, 2011 finding that the attached Frontier North Inc. and Frontier Midstates Inc. Invoice Nos. MI9NGMTS9111102 and MI9NZMTS9111102, for the period of December 1, 2010 to February 28, 2011, are for wireless emergency service costs recoverable under 2007 PA 165, MCL 484.1408(4)(b), and consistent with the Commission's order dated June 29, 2004 in Case No. U-14000. The Commission approves the attached invoices in the amount of \$168,485.61 for reimbursement by the Michigan Department of Treasury, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

2. U-14413 TELNET WORLDWIDE, INC., AND AT&T MICHIGAN
U-16549 123.NET, INC., d/b/a LOCAL EXCHANGE CARRIERS OF
MICHIGAN, INC., AND AT&T MICHIGAN
U-16760 US XCHANGE OF MICHIGAN, L.L.C., d/b/a ONE
COMMUNICATIONS I, AND AT&T MICHIGAN
(interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated April 25, 2011 which requests Commission approval of interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16444 B&S TELECOM, INC. v MICHIGAN BELL TELEPHONE COMPANY, d/b/a AT&T MICHIGAN

Commissioner Martinez moved that the Commission adopt and issue order dated April 25, 2011 which involves a complaint brought by B&S Telecom, Inc., against AT&T Michigan. The order before you approves the bill of costs filed by AT&T Michigan and directs B&S Telecom, Inc. to pay the listed costs for defending the frivolous portion of the complaint, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16559 GC PIVOTAL, LLC
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated April 25, 2011 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

B. ELECTRIC

1. MINUTE ACTION SMART GRID INTEROPERABILITY STANDARDS
(Docket No. RM11-2-000)

Commissioner Martinez moved that the Commission adopt and issue minute dated April 26, 2011 which notes that the Michigan Public Service Commission has authorized the filing of comments in Federal Energy Regulatory Commission (FERC) Docket No. RM11-2-000. In its February 16, 2011 order entitled Supplemental Notice Requesting Comments, FERC requested responses to questions to provide further information to aid in their determination of whether there is ‘sufficient consensus’ that certain smart grid interoperability standards are ready for FERC consideration in a rulemaking proceeding, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

2. U-16045 CONSUMERS ENERGY COMPANY
(’10 PSCR rehearing)

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which involves an application by Consumers Energy Company for approval of a power supply cost recovery plan and factors for calendar year 2010. The order before you denies the petition for rehearing filed by the Michigan Environmental Council, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16366 WISCONSIN ELECTRIC POWER COMPANY
(rehearing)

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which involves an application filed by Wisconsin Electric Power Company for approval of an agreement to transfer its 25% interest in a generating unit known as Edgewater 5. The order before you grants the petition for rehearing filed by the company, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16472 THE DETROIT EDISON COMPANY
(self-implementation)
U-16489 THE DETROIT EDISON COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which is an application for a rate increase filed by The Detroit Edison Company. The order before you finds good cause to prevent the utility from self-implementing a rate increase of \$230 million, approves procedures that will permit the utility to self-implement a lesser amount, and orders the utility to

employ the rate design that the company prepared for its final rate relief, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

5. U-16517 DUKE ENERGY RETAIL SALES, LLC
U-16767 DUKE ENERGY RETAIL SALES, LLC
(AES license)

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which involves an application filed by Duke Energy Retail Sales, LLC, for a license as an alternative electric supplier. Case No. U-16767 is a docket opened by the Commission for the alternative electric supplier to comply with Act 295 of 2008. The order before you grants the requested license and requires compliance with Act 295, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

6. U-16543 CONSUMERS ENERGY COMPANY
(renewable energy plan)
U-16581 CONSUMERS ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which are cases related to Consumers Energy Company's renewable energy plan. The order before you relieves the utility from filing a biennial review application by May 26, 2011 in light of the company's pending renewable energy plan amendment case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

7. U-16573 UPPER PENINSULA POWER COMPANY
(tariff revision)

Commissioner Martinez moved that the Commission adopt and issue order dated April 26, 2011 which involves an application filed by Upper Peninsula Power Company for a revision of its tariff concerning its line extension construction policy. The order before you grants the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

IV. PUBLIC COMMENTS

There were no public comments.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on May 10, 2011.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The motion was approved.

The meeting adjourned at 10:10 a.m.

Mary Jo Kunkle
Executive Secretary